<center>**REMARKS/ARGUMENTS**</center>

Claims 20-22 and 24-37 are pending in this application. Claims 20-22 and 24-37 stand rejected. By this amendment, claims 20 and 27 are amended. In light of the amendments and remarks set forth below, the pending claims are in condition for immediate allowance.

Claims 20-22 and 24-37 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,856,866 ("Nakao"). Applicants traverse this rejection.

Among the limitations of independent claims 20 and 27 not present in Nakao is a data mask that carries out prioritization, filtering, and normalization of different data formats. Claim 20 is amended to explicitly recite the actions performed by the filter, specifically, "prioritizing data from a plurality of modules by a data mask; [and] adapting and filtering the data based at least in part on data formats." Similarly, apparatus claim 27 is amended to explicitly the data mask and weighting means, specifically, "a data mask configured to prioritize, filter, and normalize data relating to the energy consumption and energy accumulation; [and] weighting means to weight the data with respect to at least one of the energy source or the energy sink to minimize processing time."

As disclosed in the present specification, the filter 9 comprises a data mask that prioritizes the data from modules 1-8. The filter also adapts and filters the data with respect to data format. Information is assessed and weighed in advance by filter 9 based on importance of the data with respect to the driver, road way, vehicle, energy sources, energy sinks, and the like, to achieve a processing time in logic module 12 that is as short as possible. (Specification as filed, p. 11, ll. 24-31).

In the rejection set forth in paragraph 2 on page 3 of the Office Action, the Examiner is silent with respect to the above quoted limitation. However, in the rejection under 35 U.S.C.

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§103(a) discussed below, the Examiner asserts "Nakao teaches a data mask defined by a high discharge execution determining section that receives output data based on estimates. The high discharge execution determining section carries out prioritization, filtering and normalization of different data formats." (Office Action at par. 3, p. 4). However, Nakao is silent with respect to the limitations for which it is cited. Further, Nakao is silent with respect to the newly added limitations of claims 20 and 27.

In Nakao, high discharge execution determining section 124 receives output data corresponding to an estimated travel assist electric power amount and an estimated regenerative electric power amount for each travel route portion to determine whether or not the state of charge of battery 5 can be returned to a predetermined intermediate region C1 to C2 (or the state of charge target value C0) by regenerative charge on the immediately next long downhill slope D (downhill travel path) even if the battery 5 is highly discharged. The high discharge execution determining section 124 receives output data corresponding to an estimated travel assist electric power amount and an estimated regenerative electric power amount for each travel route portion, and determines whether or not the battery 5 can be highly discharged on the uphill slope U (travel path) immediately before the long downhill slope D. (Nakao at col. 8. ll. 17-33).

Nowhere does Nakao disclose the high discharge execution determining section 124 performing prioritization, filtering, or normalization of different data formats. Therefore, for at least this reason, Nakao fails to anticipate claims 20-22 and 24-37.

Claims 20-22, 24, and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,426,589 ("Kitagawa") in view of Nakao. Applicants request reconsideration and withdrawal of this rejection.

The Examiner acknowledges that Kitagawa fails to disclose a data mask that carries out a prioritization, filtering, and normalization of different data formats. The Examiner attempts to cure this deficiency with Nakao. However, as discussed above, Nakao is silent with respect to a data mask performing prioritization, filtering, or normalization of different data formats. Thus, claim 20 is allowable.

Claims 21 and 22 depend from, and contain all the limitations of claim 1. Claims 28-37 depend from and contain all the limitations of claim 27. These dependent claims also recite additional limitations, which, in combination of the independent claims from which they depend, are neither disclosed nor suggested by Nakao or Kitagawa, whether taken alone or in combination. Therefore, all of the pending claims should be allowed.

Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested. If the Examiner believes an interview would be of assistance, the Examiner is encouraged to contact the undersigned at the number listed below.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

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